

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 30020 of 2007(W)

PETITIONER:

L.RAGHUVARAN,
(CONDUCTOR, KSRTC, POOVAR, RTD. ON 31.5.2007)
LAL NIVAS, VENKULATHUVILA, KANJIRAMKULAM P.O.
NEYATTINKARA, THIRUVANANTHAPURAM.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENTS:

1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.
2. ASSISTANT TRANSPORT OFFICER,
KSRTC,POOVAR DEPOT.
3. DISTRICT CO-OPERATIVE BANK REPRESENTED
BY ITS MANAGER, KANJIRAMKULAM BRANCH,
THIRUVANANTHAPURAM.

R1 & R2 BY SC ADV. SRI. JOHNSON P. JOHN.
R3 BY ADV. SRI. T.R. HARIKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.M.JOSEPH, J.

WP.(C) No. 30020 of 2007

Dated this the 10th day of October, 2007

JUDGMENT

Petitioner retired as Conductor on 31.5.2007. He seeks out of turn payment of pensionary benefits including DCRG, Commuted Value of Pension etc. He has produced Ext.P2 issued by the third respondent demanding payment of Rs.3,14,320/-. It is pointed out that if there is no payment in terms of the notice, steps will certainly be taken under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act. Petitioner retired as a Conductor and he is apparently faced with a huge liability. Going by Ext.P2 it is certain that Securitisation Act will be pressed into service. I feel that some relaxation can be given from the principle of seniority.

The writ petition is disposed of with a direction to the first respondent to pay over to the third respondent on behalf of the petitioner the amount due to the petitioner as DCRG or Commuted Value of Pension, whichever is higher within a period of four months from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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